

MEETINGS TO DATE 16
NO. OF REGULARS 15
NO. OF SPECIALS 1

LANCASTER, NEW YORK
AUGUST 5, 1985

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 5th day of August 1985, at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
RICHARD J. SHERWOOD, TOWN ATTORNEY
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
JEFFREY SIMME, ASSISTANT BUILDING INSPECTOR
THOMAS E. FOWLER, CHIEF OF POLICE

COMMITTEE REPORTS - ACTIONS AND DIRECTIVES:

Councilman Czapla, for the Police and Safety Committee, presented a report from Chief Fowler recommending a reduced speed limit and no parking restrictions on certain Town highways. The Town Board, later in the meeting, adopted a suspended resolution calling for a public hearing on these recommendations.

PREFILED RESOLUTIONS OF COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT;

RESOLVED, that the minutes from the meeting of July 15, 1985, as
presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 5, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board must comply with barrier removal for
handicapped access to town buildings to continue to receive Federal Revenue
Sharing Funding, and

WHEREAS, the Town of Lancaster and County of Erie have entered into
agreements dated April 12, 1983 and June 6, 1984 respectively, to provide for
the expenditure of Community Development funds in a certain manner, and

WHEREAS, the parties to these agreements have now determined that it
is necessary to amend the agreements to provide that certain of these funds are
expended for such barrier removal,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster is authorized
to execute an Amendatory Agreement to each of the above recited respective
agreements to provide for the transfer of funds for barrier removal to
facilitate handicapped access to town buildings.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted .

August 5, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, GELERT DEVELOPMENT CO., INC. is developing an industrial
commerce center on Pavement Road, and

WHEREAS, an Application is being made for Federal funds for construc-
tion of the road, curbing and related improvements, and

WHEREAS, the developer and the Town of Lancaster have determined that
it is in the public interest to pursue the Federal funding for this project and
that it is necessary for the Town to take title to the roadway for purposes
of the application for Federal funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to
enter into an Agreement to accept the transfer of title to the road right-of-
way, said Agreement having been reviewed and approved by the Town Attorney's
Office, and

BE IT FURTHER

RESOLVED, that the Town Attorney is authorized to record the deed in
the Erie County Clerk's Office.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 5, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board has heretofore authorized the removal and replacement of sidewalks on Parkdale Drive and Glendale Drive and the connecting street thereto, in the Town of Lancaster, and

WHEREAS, plans and specifications therefor have been filed by the Town Engineer with the Town Clerk and reviewed by the Town Board, and

WHEREAS, sealed proposals were received by the Supervisor of the Town of Lancaster on Monday, July 29, 1985, for the removal and replacement of sidewalks on Parkdale Drive (Phase I) and Glendale Drive and connecting street, (Phase II), in accordance with specifications on file in the Town Clerk's Office, and

WHEREAS, by letter dated August 1, 1985, Krehbiel Associates, Inc., has recommended that said contract be awarded to MARK FEDEROWICZ CONCRETE, INC., 555 Cayuga Creek Road, Cheektowaga, New York 14227, pending review and approval of bid documents by the Housing & Urban Development Agency of the Federal Government,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the bid of MARK FEDEROWICZ CONCRETE, INC., 555 Cayuga Creek Road, Cheektowaga, New York 14227, in the amount of \$18,431.75 for Parkdale Drive (Phase I), be and hereby is approved and accepted, said bid being the lowest responsible bid submitted in conformance with the specifications relating thereto, and that the contract be awarded to the contractor conditional upon approval of said bid by the Housing & Urban Development Agency of the Federal Government,

2. That upon receipt of said Approval, the Supervisor be and is hereby authorized to execute said contract on behalf of the Town of Lancaster, upon said contractor's furnishing of all required bonds and insurance, and

3. That the bid of MARK FEDEROWICZ CONCRETE, INC. in the amount of \$29,683.25 for Glendale Drive and connecting Street (Phase II) be and is hereby approved, contingent upon the receipt of approval by Housing & Urban Development Agency of the Federal Government for expenditure of Federal funds on this Phase II.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 5, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by
letter dated July 15, 1985, has requested the confirmation of one new member
duly elected to the membership of the Bowmansville Volunteer Fire Association,
Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the addition to the membership of the Bowmansville Volunteer Fire
Association, Inc. of the following individual:

PROBATIONARY NON-RESIDENT ACTIVE MEMBER

Tim Grzybowski
76 Center Street
Depew, New York 14043

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 5, 1985

FILE: R-FIRE Page 1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town of Lancaster needs a new postage meter, and

WHEREAS, the Town Board, after its review, feels it is in the public
interest to replace the present postage meter with a new Pitney Bowes No. 5600
Mailing Machine with electronic postage meter and one (1) EMS-1 Electronic
Mailing Scale in the amount of \$3,335.00,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and hereby
is authorized to enter into a purchase agreement with Louis J. Fiorella, Sales
Manager, Pitney Bowes, 3820 Ridge Lea, Tonawanda, New York 14150-7513, for one (1)
Pitney Bowes No. 5600 Mailing Machine with Electronic Postage Meter, and one (1)
EMS-1 Mailing Scale under the GSA Contract GS-00F-69218 in the sum of \$3,335.00,
and

BE IT FURTHER

RESOLVED, that the sum of \$3,335.00 therefor be transferred from
Account No. A-1670.4 to Account No. A-1670-2.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 5, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, a problem exists on Partridge Walk in the Countryside
Subdivision regard school buses, garbage trucks, snow plows, fire trucks,
etc., turning around, and

WHEREAS, as a result of the lack of turnaround area, young children
must walk a significant distance in snow drifted winter conditions to be picked
up by the school buses, and

WHEREAS, the Town Board, after review, has determined that this lack
of turnaround area may affect the public health, welfare and safety of the
residents of the Town of Lancaster, and

WHEREAS, §64 of the Town Law of the State of New York authorizes the
town to lease real property for a public purpose, and

WHEREAS, Giallanza Corporation has agreed to lease a subdivision lot
to the Town of Lancaster for placement of a turnaround for school buses and
other vehicles,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
authorizes the Supervisor to enter into a lease agreement with the Giallanza
Corporation for a subdivision lot to be used as a turnaround area with the
terms of said lease to be reviewed and approved by the Town Attorney's office.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 5, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN MILLER , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 CZAPLA , TO WIT:

WHEREAS, per Town Board resolution, dated July 15, 1985, the Town has entered into a new contract with the Millgrove Volunteer Fire Department, Inc. and the Twin District Volunteer Fire Company, Inc., which has increased their respective allotments of 1985 contract amounts,

NOW, THEREFORE, BE IT

RESOLVED, that the following amendments be and hereby are authorized to the 1985 Special District Budget:

<u>FIRE DISTRICTS</u>	<u>ACCT. NO.</u>	<u>INCREASE</u>
Appropriated Fund Balance	SF 599	\$11,571.00
Appropriations	SF 960	\$11,571.00
Fire Contracts	SF3410	\$11,571.00

and,

WHEREAS, the Town has entered into a contract with Donald Gallo, Consulting Engineer, for engineering services for barrier removal at the Police, Court and Recreation Buildings at the Lancaster Town Center, and at the Lancaster Library,

NOW, THEREFORE, BE IT

RESOLVED, that the following amendments be and hereby are authorized to the 1985 General Fund Budget:

<u>GENERAL FUND</u>	<u>ACCT. NO.</u>	<u>INCREASE</u>
Appropriated Fund Balance	A 599	\$5,000.00
Appropriations	A 960	\$5,000.00
Buildings Dept. - Contractual Services	A 1620.411	\$5,000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
 COUNCILMAN GIZA VOTED YES
 COUNCILMAN KWAK VOTED YES
 COUNCILMAN MILLER VOTED YES
 SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 5, 1985

File: R-ACCT-TRANS Page 2-3

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, John L. Kocialski, Police Commissioner of the Town of Lancaster, due to his failing health, has submitted his resignation from said position by letter dated July 18, 1985, and

WHEREAS, the said John L. Kocialski, has devoted a great amount of personal time and effort on behalf of the Town of Lancaster for a number of years,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts the resignation of John L. Kocialski, effective July 18, 1985, with regret and extends its sincere good wishes to Mr. Kocialski in all his future endeavors.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 5, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the County of Erie held certain parcels for sale in an
In Rem Proceeding in June, 1984, for failure to pay back taxes, and

WHEREAS, the Town of Lancaster, after review, determined that it was
in the public interest to acquire certain of these parcels which were in the
nature of paper streets to afford future development of areas which are now
landlocked, and

WHEREAS, the Town of Lancaster was the successful bidder on certain
parcels in the County of Erie In Rem property sale in June, 1984, and

WHEREAS, the Town of Lancaster bid a total amount of \$10,700.00 for
these parcels, and

WHEREAS, the Town of Lancaster must now pay the Erie County Department
of Finance the sum of \$10,700.00 to consummate the bid purchase of these parcels
and

WHEREAS, the Supervisor has estimated further costs associated with
the purchase of said parcels not to exceed the sum of \$2,300.00

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster is hereby
authorized to pay the sum of \$10,700.00 to the Erie County Department of Finance
for properties acquired at the In Rem Sale held by the County of Erie in June,
1984, and

BE IT FURTHER

RESOLVED, that the following amendment be and hereby is authorized
to the 1985 General Fund Budget:

<u>Acct. No.</u>	<u>Account Name</u>	<u>Increase</u>
A599	Appropriated Fund Balance	\$12,000.00
A960	Appropriations	12,000.00
A1940	Purchase of Land	12,000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 5, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN MILLER , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
 ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 8358 to 8491 Incl.	\$186,142.50
Part Town Fund	No. 1272 to 1281 Incl.	\$ 4,703.76
Highway Fund	No. 2971 to 2988 Incl.	\$ 51,747.38
Special District Fund	No. 838 to 838 Incl.	\$ 2,718.25
Trust & Agency Fund	No. 976 to 994 Incl.	\$ 55,457.03
Community Development Fund	No. 1226 to 1227 Incl.	\$ 298.88
Community Development Fund (Rehab. Escrow Acct.)	No. 153 to 153 Incl.	\$ 300.00
Improvement Facilities Sewer Dist. No. 2	No. 170 to 170 Incl.	\$ 1,903.42

and,

BE IT FURTHER

RESOLVED, that the claim of applicant and Kandefer Plumbing and Heating for \$300.00, Project No. 436312 (80-81) Bowmansville Neighborhood Improvement, has been approved by the Community Development Program, and the Supervisor be and is hereby ordered to submit this claim for payment from the Community Development Rehabilitation Escrow Account.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
 COUNCILMAN GIZA VOTED YES
 COUNCILMAN KWAK VOTED YES
 COUNCILMAN MILLER VOTED YES
 SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 5, 1985

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN CZAPLA , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are
 hereby approved and the issuance of Building Permits be and are hereby
 authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
142	Russell Dynas	300 Westwood Rd.	ER. POOL
143	Josela Enter.	2 Quail Hollow	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
144	Josela Enter.	34 Partridge Wk.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
145	Dennis Cianfrini	3 Birchwood Com.	ER. POOL
146	Fred Hammer	240 Ransom Rd.	EXT. SIN. DWLG, ER. PVT. GARAGE
147	Leonard R. Grosso Sr.	28 Marky St.	ER. PVT. GARAGE, FENCE
148	Patricia Pomietlarz	761 Schwartz Rd.	ER. POOL
149	Helenbrook Homes	36 Rollingwood Dr.	ER. FR. SIN. DWLG. & PVT. GARAGE
150	Joyce Peruzzini	12 Squirrel Run	ER. SHED & FENCE
151	Frank Mirabelli	135 Pleasant View Dr.	ER. FR. PVT. GARAGE
152	Lakeland Leasing	4429 Walden Ave.	ER. STEEL OFFICE BLDG. & SHOP
153	Marrano Marc/Equity	180 Peppermint Rd.	ER. FR. SIN. DWLG. & PVT. GARAGE
154	Marrano Marc/Equity	20 Pine View Dr.	ER. FR. SIN. DWLG. & PVT. GARAGE
155	Marrano Marc/Equity	24 Tanglewood Dr.	ER. FR. SIN. DWLG. & PVT. GARAGE
156	M/M Ralph Harblson	311 Stony Rd.	ER. FR. STORAG BLDG.
157	M/M Neil Smith	698 Town Line Rd.	ER. FR. STORAGE BLDG.
158	M/M Dennis Wals	10 Evergreen Dr.	ER. POOL
159	M/M James Metz	10 Old Schoolhouse Rd.	ER. FR. SIN. DWLG, PVT. GARAGE
160	Edw. Andrzejewski	505 Ransom Rd.	ER. FR. SIN. DWLG, PVT. GARAGE
161	M/M David Roll	32 Partridge Wk.	ER. FR. SHED
162	M/M Edward Moll	241 Warner Rd.	ER. FENCE
163	Joseph Janis	3626 Bowen Rd.	ER. FR. SIN. DWLG

164	Helenbrook Homes	39 Steinfeldt Rd.	ER. FR. SIN. DWLG, PVT. GARAGE
165	M/M John Skulski	199 Westwood Rd.	ER. FR. SHED
166	Josela Enter.	3 Petersbrook Cir.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 5 , 1985

File: R-BUILDING

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to undertake a project for construction of renovations to the Town Court/Police Building and Recreation Building located at 525 Pavement Road and the Library building located at 5466 Broadway, Lancaster, New York, for access and use by the handicapped, and

WHEREAS, funding therefor has been heretofore committed through Community Development Funds, and

WHEREAS, engineers have been retained for the drawing of specifications and plans therefor, which have been filed with the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Bids will be received by the Town Clerk and opened by the Supervisor of the Town of Lancaster on the 30th day of August, 1985, at 10:00 A.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for construction of renovations to the Town Court/Police Building and Recreation Building located at 525 Pavement Road, Lancaster, N.Y. and the Library Building located at 5466 Broadway, Lancaster, New York, for access and use by the handicapped, in accordance with plans and specifications on file in the Town Clerk's Office.

2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee, the Official Newspaper of the Town of Lancaster, and the following publications for one such publication:

The Challenger
1303 Fillmore Ave.
Buffalo, N.Y. 14211

Buffalo News
One News Plaza
Buffalo, New York 14203

Call Post
1949 E. 105th St.
Cleveland, Ohio 44106

Communicade
P.O.Box 7933
Rochester, N.Y. 14606

and post notices thereof as required by Town Law of the State of New York which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 5, 1985

LEGAL NOTICE

NOTICE TO BIDDERS
TOWN OF LANCASTER

HANDICAPPED ACCESS AND USE RENOVATIONS
AT TOWN BUILDINGS
TOWN OF LANCASTER, NEW YORK

Sealed bids for the construction of renovations to the Town Court/Police Building and the Recreation Building located at 525 Pavement Road, Lancaster New York, and the Library Building located at 5466 Broadway, Lancaster, New York, for access and use by the handicapped, Contract No. 1 for the Town of Lancaster will be received from bidders by the Town Clerk at his office in the Town Hall, Lancaster, New York, on or before 10:00 A.M., Local Time, on the 30th day of August, 1985, at which time they will be publicly opened and read aloud by the Supervisor in the Council Chambers, Lancaster Town Hall, 21 Central Avenue, Lancaster, New York. The Project consists of renovating restrooms in the Court/Police Building and Recreation Building; renovating entrances at the Court/Police Building and Recreation Building; and renovating the elevator at the Library; and installing new water coolers at all three buildings.

Contract Documents may be examined at the office of the Town Clerk of the Town of Lancaster at the address listed above between the hours of 9:00 A.M. and 5:00 P.M. from August 15, 1985 to August 30, 1985, except Saturdays, Sundays and Holidays.

Copies may be obtained from the offices of the ENGINEER upon deposit of \$50.00 for each set. The ENGINEER will mail the Contract Documents to those wishing to obtain a set upon receipt of the document fee, plus a non-refundable mailing and handling charge of Ten Dollars (\$10.00) per set. The mailing date will be considered the bidder's date of receipt. Partial sets of Contract Documents will not be available. Neither the OWNER nor the ENGINEER will be responsible for full or partial sets of Contract Documents, including any addenda, obtained from other sources. Bidders who return full sets of documents in good condition within thirty (30) days of award of the contract will receive a full refund. Non-bidders will be refunded one-half of the deposit upon return of full sets of Contract Documents within thirty (30) days of award of the Contract. No refunds will be made for the return of additional sets. Checks for documents shall be made payable to the ENGINEER. The \$50.00 deposit shall be in the form of two (2) \$25.00 checks. Checks for mailing fees shall be made payable to the ENGINEER.

Any Contract or contracts awarded under this invitation for bids are expected to be funded in part by a grant from the U.S.H.U.D Community Development Block Grant Program. Neither the United States nor any of its departments, agencies or its employees is or will be a party to this invitation for bids or any resulting contract. This Contract is to be subject to applicable regulations contained in the Federal Register in effect on the date of the assistance award for this Contract.

The attention of the Bidders is called particularly to the requirements with respect to conditions of employment to be observed and minimum wage rates to be paid under the contract, and further to the Affirmative Action Requirements for Equal Employment Opportunity.

This Contract will be funded wholly or partially with federal funds, and as such, subject to all Federal rules and regulations pertinent thereto, including, but not limited to, Federal policy of encouraging the participation of minority and women business enterprises as sources of suppliers, equipment, construction and services.

The attention of the Bidders is called to the provisions of Article 5A of the General Municipal Law which requires the Bidder to execute a certificate of non-collusion and to conform with the other provisions of Article 5A outlined in the Instructions to Bidders and Supplementary Conditions. A form for such certificate accompanies the bid form. Unless it is properly executed, the bid will not be accepted.

The successful Bidder will be required to furnish Payment and Performance Bonds each in an amount equal to one hundred per cent (100%) of the Contract award.

For the purpose of the deposit refund, bidders shall only be considered as those that formally submit a bid at the time and place as stated above and for the purpose of the performance of the work as set forth in these Specifications.

Each proposal must be accompanied by the deposit of a certified check, payable to the Order of the Town of Lancaster, for a sum equal to five percentum (5%) of the total amount of the bid, or a bond with sufficient sureties in a penal sum equal to five percentum (5%) of such total bid amount, conditioned that if the proposal is accepted, the successful bidder will enter into a contract for the work, and that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the contract, conditioned for the faithful and prompt performance and completion of the work specified in the contract.

All deposits, except that of the successful bidder, will be returned.

Upon acceptance of his bid, if the successful bidder fails to enter into a contract pursuant to the requirements of the Board, or fails to give the further security prescribed in this notice, with the time limited therein, then the check deposited as aforesaid and the moneys standing to the credit of same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

As evidence of his competency to perform the work, each Bidder shall submit with his Bid a statement of his qualifications and resources. Each Bid must contain evidence of Bidder's qualification to do business in the state where the Project is located or covenant to obtain such qualification prior to award of the Contract. Low Bidders may be asked to furnish additional data to demonstrate competency.

The right to reject any or all bids, to waive any informalities in, or to make an award to other than the low bidder or to the lowest responsive and responsible bidder, should it be deemed to be in the best interest of the Town of Lancaster, and in accordance with law, are herewith reserved.

The Town of Lancaster is an exempt organization under the Tax Law and is exempt from payment of Sales and Compensating Use Taxes which are to be incorporated into the project and which are to be separately sold by the CONTRACTOR to the OWNER prior to incorporation into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid. Sales tax will be due on all materials purchased by CONTRACTOR which are either "consumable" or rental property used by the CONTRACTOR in connection with the construction or repair.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER, N.Y.

Robert P. Thill, Town Clerk
August 15, 1985

Consulting Engineers:
Donald Gallo, Consulting Engineer
260 Elmwood Avenue
Buffalo, New York 14222

Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution:-

SUSPENSION GRANTED:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled: "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE AND STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 19th day of August, 1985, at 8:10 o'clock P.M. Local Time, and that Notice of the Time and Place of such Hearing be published on or before the 8th day of August, 1985, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 5, 1985

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 5th day of August, 1985, the said Town Board will hold a Public Hearing on the 19th day of August, 1985, at 8:10 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of said Town:

ARTICLE IX - Speed Regulations.

§46-9, Maximum Speed Limits, is hereby repealed and the following enacted in place thereof:

"46-9, Maximum Speed Limits.

- A. All area speed limits and speed limits on designated highways within the Town of Lancaster prescribed by order of the New York State Department of Transportation prior to adoption of this amendment herein shall remain in effect, except as hereinafter recited.
- B. Area speed limits shall be posted at thirty (30) miles per hour at all entrance roads in the following subdivisions:
 - 1. Countryside Subdivision
 - 2. Countryview Subdivision
 - 3. Heritage Hills Subdivision
- C. A speed limit of forty-five (45) miles per hour shall be posted on the following designated highways:
 - 1. Pavement Road - for northbound and southbound traffic between Genesee Street & Walden Ave.
 - 2. Ransom Road - for northbound and southbound traffic from Genesee Street north to the northern boundary of the Town of Lancaster at the Town of Clarence.
- D. A speed limit of thirty-five (35) miles per hour shall be posted on the following designated highways:
 - 1. Como Park Blvd.- for eastbound and westbound traffic from Transit Road easterly to the west boundary line of the Village of Lancaster.
- E. A speed limit of thirty (30) miles per hour shall be posted on the following designated highways:
 - 1. Ward Road - for northbound and southbound traffic from Walden Avenue north to end of such road.
 - 2. Enterprise Drive - for northbound and southbound traffic from Walden Avenue south to end of such road."

ARTICLE X - Parking, Standing and Stopping.

§46-12. Parking prohibited in designated locations, is hereby amended by adding thereto:

- A. (23) On the north side of Como Park Boulevard from its intersection with Transit Road and continuing easterly to the west boundary line of the Village of Lancaster, excepting therefrom that portion of Como Park Boulevard within the Village of Depew.
- (24) On the south side of Como Park Boulevard from its intersection with Transit Road and continuing easterly to the west boundary line of the Village of Lancaster.

§46-13. Standing prohibited in designated locations, is hereby amended by adding thereto:

- A. (23) On the north side of Como Park Boulevard from its intersection with Transit Road and continuing easterly to the west boundary line of the Village of Lancaster excepting therefrom that portion of Como Park Boulevard within the Village of Depew.
- (24) On the south side of Como Park Boulevard from its intersection with Transit Road and continuing easterly to the west boundary line of the Village of Lancaster.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

August 5, 1985

STATUS REPORT ON UNFINISHED BUSINESS:

1. Public Improvement Permit Authorization - Countryview East Subdivision, Phase I (Marrano)
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1985.
2. Public Improvement Permit Authorization - Heritage Hills Subdivision
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
3. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P.No. 77 (water main) and No. 78 (retention basin) on June 6, 1983.
4. Traffic Study - Reconstruction, Genesee Street and Ransom Road
On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that the Final Design Report on this project is complete and available.
5. Traffic Study - Signal, Bowen Road and William Street
On October 19, 1984, the County Deputy Highway Commissioner informed the Board that visability restrictions have been removed at this intersection and that the present traffic control flasher was found to be adequate.
6. Traffic Study - Speed Reduction, Pavement Road
On February 6, 1984, this matter was referred to the Police Chief for investigation and recommendation. On August 5, 1985, the Town Board set a public hearing on this matter for August 19, 1985.
7. Traffic Study - Speed Reduction, Ransom Rd. from Walden to Clarence Line
On November 7, 1983, this matter was referred to the Police Chief for investigation and recommendation. On August 5, 1985, the Town Board set a public hearing on this matter for August 19, 1985.

PERSONS ADDRESSING THE TOWN BOARD:

None

COMMUNICATIONS:DISPOSITION

556. Property Manager to Town Board - Report of Fixed Assets Inventory as of 6/30/85.	R & F
557. Bowmansville V.F.A. to Town Board - Recommendation of member to active roster.	R & F
558. Receiver of Taxes to Town Board - Report of 1985 Town and County taxes as of 6/30/85.	R & F
559. Town Clerk to County Highway Dept. - Request investigation into deteriorating condition of Central Ave.	R & F
560. Supervisor to Assemblyman Gorski - Comments pertaining to municipal tort liability problems.	R & F
561. Lancaster Opera House to Town Board - Report of 1984-85 ticket sales.	R & F
562. County Dept. of Environment and Planning to Supervisor - Information concerning building in wetland/flood plain.	R & F <u>BUILDING INSPECTOR</u>
563. Supervisor to N.Y.S. Facilities Devel. Corp. - Notification of acceptance of proposal for renewal of lease by Buffalo Psychiatric Center.	R & F
564. County Dept. of Environment and Planning to Supervisor - Evaluation of request for participation in remedial work on Oakwood Ave.	R & F
565. NYSDOT to WNY Economic Development Corp. - Request input regarding Lancaster North- South Industrial Tech. Parkway Corridor Study.	R & F
566. Fox & Co. to Supervisor - Calendar of events for 1986 Budget.	R & F
567. Receiver of Taxes to Town Board - Request purchase of new postage meter machine.	R & F
568. Supervisor to Highway Supt. - Request specifications for trash disposal bid opening.	<u>SOLID WASTE COMMITTEE</u>
569. Supervisor to Highway Supt. and CSEA Pres. - Status of James Polen wages.	R & F
570. NYS Comm. on Cable Television to Supervisor - Transmittal of complaint against Jones Intercable.	R & F <u>CABLE COMMITTEE</u>
571. Town Clerk to Chairman, Planning Board - Transmittal of Amended Rezone Petition for Paul and Florence Marinaccio.	R & F
572. Norfolk Southern Corp. to Chairman, Lancaster Industrial Development Agency - Request for support of acquisition of Conrail.	R & F

COMMUNICATIONS CONT'D.:Page 373
DISPOSITION

573. Ernest A. Holfoth, CPCU to Supervisor - Risk Management and Insurance Consulting Services.	R & F
574. Supervisor to Deputy Commissioner, Division of Sewer Management - Request for update for E.C.S.D. #4 - Contract 20B.	R & F
575. John L. Kocialski to Town Board - Resignation as Police Commissioner.	R & F
576. GPU Nuclear Corporation to Supervisor - Appreciation for cooperation in shipping of spent fuel.	R & F
577. N.Y.S. Legislature of Erie Co. to Supervisor - Copy of a resolution opposing President Reagan's tax plan.	R & F
578. Planning Livable Communities to Supervisor - Notification of Annual Conference to be held Sept. 12 and 13, 1985 at Buffalo Hilton Hotel.	BUILDING INSPECTOR
579. Building Inspector to Town Board - Request for directive concerning Village inspections.	R & F
580. Community Action Organization of Erie Co. to Supervisor - Notification that Needy Family Food Distribution Program for programmatic year has concluded.	R & F
581. Supervisor to M & T Bank - Request for proper posting of land bordering 429 Pleasant View Dr.	R & F
582. Town Clerk to Town Board - Notification of Public Hearing relative to petitions of Red Roof Inns and Peter and Judith Derkovitz.	R & F
583. Fox & Co. to Town Board - Announcement that Alvin A. Rhoney was admitted to partnership.	R & F
584. Town Clerk to Supervisor - Monthly report for July 1985.	R & F
585. D.C.O. to Town Board - Monthly report for July 1985.	R & F
586. County Div. of Highways to Town Clerk - Status repairs to Central Ave.	R & F
587. County CD Director to HUD - Submittal of listing of CD subgrantee activities regarding 1985-86 grant application.	R & F
588. S.E.C.W. Center to Supervisor - Note of appreciation for check.	R & F
589. NYSDOT Reg. Planning Engineer to Regional Economic Assistance Center - Transmittal of revised rough study scope for economic component of Lancaster N/S Ind./Tech Parkway Corridor Study.	R & F

COMMUNICATIONS CONT'D.:

DISPOSITION

590. Supervisor and Lancaster Village Mayor to
CONRAIL Chairman -
Request paint for three bridges.

R & F

591. Seneca Pl. Residents to Supervisor -
Complaints regarding remedial work in
connection with sewer project.

ENGINEER

592. Town of Islip Supervisor to Town of Greece
Supervisor -
Transmittal of copy of NYSALT Articles of
Assoc. passed by Suffolk County Supervisors'
Assoc.

T.A. FOR REVIEW &
AUTHORIZATION FOR
ATTENDANCE

593. Off. of Revenue Sharing to Supervisor -
Confirmation of acceptance of report
submitted.

R & F

594. Town Engineers to Town Board -
Comments and transmittal of bid tabulation
in connection with Parkdale/Glendale sidewalk
bid opening.

R & F

595. Town Engineers to Town Board -
Tabulation and recommendation of bid award
to Del Prince & Co., Inc. for Maple Rd.
resurfacing.

T.A. FOR RESOLUTION

596. Supervisor to Assoc. of Towns -
Transmittal of Municipal Tort Liability
Insurance Questionnaire.

R & F

Supervisor Keysa requested a suspension of the necessary rule for
immediate consideration of the following communications.
SUSPENSION GRANTED.

597. Recreation Commission Chair. to Town Board -
Report on summer employment.

R & F

598. N.E. Solid Waste Mgt. Board to Supervisor -
Meeting notice for 8/8/85 at Elma.

COUNCILMAN MILLER

599. Recreation Dir. to Supervisor -
Response to Lovell Safety Management Report.

R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 9:55 P.M.

Signed

Robert P. Thill

Robert P. Thill, Town Clerk